

**CITY OF WINTER GARDEN  
DISTRICTING COMMISSION  
MINUTES OF MAY 14, 2008**

Derek Blakeslee called the meeting of the Districting Commission to order at 6:28 p.m. on May 14, 2008 in City Hall Commission Chambers, 251 W. Plant Street, Winter Garden, Florida. Mr. Blakeslee called roll and declared that a quorum was present.

**MEMBERS PRESENT**

District 1 - Kent Horsley  
District 3 - Pat Angry  
District 4 - Mark DeFuso  
District 5 - Derek Blakeslee

**MEMBER ABSENT**

District 2 - Fred Crabtree

**STAFF PRESENT**

City Manager Mike Bollhoefer  
City Attorney Kurt Ardaman  
City Clerk Kathy Golden  
Asst. City Attorney Giffin Chumley  
GIS Technician Alan Booker

**WELCOME AND INTRODUCTIONS**

Mr. Bollhoefer welcomed everyone to the first meeting of the Districting Commission as appointed by the Mayor and City Commissioners. Mr. Bollhoefer stated that this commission was initiated as the result of a voter approved revision to our Charter that states the districts must be redrawn whenever a single district exceeds 50 percent of another district. Our population has more than doubled since the 2000 census and the growth experienced in District 4 has exceeded the 50 percent of the other three districts. The City Attorney and his assistant are present to go over some of the legal matters and Mr. Booker has devised a computer program that will allow this commission to look at their options. Mr. Bollhoefer also noted that our new Charter specifically only allows a five percent difference in population between the four districts.

**SELECTION OF THE CHAIR AND VICE-CHAIR**

Mr. Blakeslee opened nominations for Chairman and Vice-Chairman.

Commission Member Horsley nominated Blakeslee as the Chairman, which was seconded by Commission Member DeFuso. Mr. Blakeslee asked for any other nominations. Hearing none, the nominations were closed and the nomination of **Mr. Blakeslee as the Chairman passed unanimously 5-0.**

Commission Member Blakeslee nominated Horsley as the Vice-Chairman, which was seconded by Commission Member DeFuso. Mr. Blakeslee asked for any other nominations. Hearing none, the nominations were closed and the nomination of **Mr. Horsley as the Vice-Chairman passed unanimously 5-0.**

**BRIEF OVERVIEW OF THE SUNSHINE LAW AND PUBLIC RECORDS LAW**

City Attorney Ardaman and Assistant City Attorney Chumley reiterated the information provided in each member's notebook.

City Manager Bollhoefer stated that since he is asked so often he would like to ask what the Sunshine rule is for this Commission having discussions with the City Commission since the City Commission will have the final say on the new district boundaries. Mr. Chumley stated that

inter-board communications are generally considered okay because they are not serving on the same board. However, in this circumstance any member speaking with a Commissioner other than the one that recommended their appointment may be seen as breaking the liaison rule. In other words, it gives the appearance that a message is being relayed to the City Commission. The State Attorney General has recommended avoiding these types of situations. Commission Member DeFuso asked if he could speak with the Commissioner who recommended his appointment to this board. City Attorney Ardaman responded yes and the City Commissioner is not to relay the Districting Commission member's comments to any other member of this board.

### **REDISTRICTING STANDARDS AND LEGAL PRINCIPLES**

Assistant City Attorney Chumley and City Attorney Ardaman went over the information provided in each member's notebook.

### **ESTABLISHING A REGULAR MEETING SCHEDULE**

Chairman Blakeslee opened discussion on a regular meeting schedule. He suggested keeping the meetings on a three week interval at 6 p.m. City Manager Bollhoefer stated that staff is prepared to make a presentation as soon as the Commission meets again. It was the consensus of the Commission to adopt the following meeting schedule at City Hall for 6 p.m.: May 28, 2008, June 18, 2008, and July 9, 2008.

Chairman Blakeslee noted that the public hearing process for adoption will be a part of the ordinance phase by the City Commission. It was the **consensus** of the Commission to include at the beginning of each meeting ten minutes for citizen comments. This will give the Commission the opportunity to later discuss any matter brought up by our citizens.

### **ADOPTION OF RULES OF PROCEDURE**

Chairman Blakeslee noted that the proposed rules of procedure have been provided in the Commission's notebooks. City Clerk Golden noted that the proposed rules of procedure includes a minimum of two meetings a month but the Commission has established one meeting in June and suggested amending that portion of their rules. City Attorney Ardaman stated that the proposed rules basically track Robert's Rules of Order and the common way meetings are handled. The rules don't have to be adopted or can be adopted at a later date. Mr. Chumley noted the proposed rules are basically the same as the 2001 Redistricting Committee rules with minor changes for the revised Charter.

**Motion by Commission Member Horsley to adopt the Commission Rules of Procedure with an amendment to Rule 3 to state instead of "endeavor to meet at least two times each month" to "endeavor to meet once every three weeks" (see attached) and seconded by Commission Member DeFuso and carried unanimously 5-0.**

Chairman Blakeslee asked Mr. Booker to give the Commission a brief presentation of how his program will work and give the current district populations. Mr. Booker responded that currently District 1 has 5,818, District 2 has 5,261, (*Note: After the meeting Mr. Booker advised City Clerk Golden that he inadvertently reversed the population totals for District 1 and 2; the correct totals should be District 1=5,261 and District 2=5,818*) District 3 = 4,522 and District 4

= 15,531 for a total city population of 31,132. These estimates were arrived at by using the 2000 census data and adding the number of certificates of occupancy issued, times an average of 2.6 per household. This method of estimating our population has been confirmed as an acceptable method by the University of Florida Bureau of Economic and Business Research (BEBR) who annually estimates our population. City Clerk Golden asked the Commission to also consider our potential polling locations when redrawing the district boundaries.

There was discussion on maintaining the integrity of the district cores with respect to the City's prior lawsuit. Mr. Chumley stated that the lawsuit related to creating single-member districts in Winter Garden. The courts have decided that in voting rights cases, local governments are to provide equal protection. Mr. Ardaman noted that the Commission can make adjustments to District 3 but he thinks there may be stricter scrutiny if any portion was removed based on the imputes for the litigation filed for District 3. The Commission should try to avoid disenfranchising any of the current voters. By not taking some portion of the existing District and putting it into another District, you hopefully will reduce the chance for a challenge.

Chairman Blakeslee asked Mr. Booker to include for the next meeting the population by subdivision. Mr. Booker noted that the census blocks do not follow subdivision boundaries. Mr. Blakeslee shared that the Districting Commission should consider drawing boundaries utilizing major roads.

#### **CITIZEN COMMENTS**

Chairman Blakeslee opened the meeting for citizen comments. There were no public comments.

Chairman Blakeslee adjourned the meeting at 7:38 p.m.

APPROVED:

ATTEST:

/S/  
Derek Blakeslee, Chairman

/S/  
Kathy Golden, City Clerk